

Application No.: 09/775,321
Reply to Final Office Action of: February 27, 2006

REMARKS

This Amendment is responsive to the office action mailed on February 28, 2006. Claims 23-36 are pending, all of which are rejected under 35 U.S.C. Section 102 as anticipated by the patent to Cortopassi et al. Applicants have considered the reference asserted by the Examiner and solicit reconsideration of this application in view of the amendments and arguments urged here.

102 Rejections

Claims 23-36 are rejected under 35 U.S.C. Section 102(e) as anticipated by Cortopassi et al. Claims 23, 31, and 36 are amended to recite limitations that are not met Cortopassi et al. Applicants urge the Examiner to reconsider the rejections based on the fact that the criteria for a rejection under 35 U.S.C. § 102 as being anticipated by a prior printed publication is firmly established. Specifically, each and every component of a claim in question must be met by the applied printed publication. For a claim to be anticipated by a single reference under 35 U.S.C. Section 102, that reference must on its own satisfy each and every recitation in that claim. Upsher-Smith Laboratories, Inc. v. Pamlab, L.L.C., 412 F.3d 1319, 1323-24 (Fed. Cir. 2005); Dayco Prods., Inc. v. Total Containment, Inc., 329 F.3d 1358, 1368-69 (Fed. Cir. 2003); Elan Pharmaceuticals, Inc. v. Mayo Foundation for Medical Education and Research, 346 F.3d 1051, 1054 (Fed. Cir. 2003); Rosco, Inc. v. Mirror Lite Co., 120 Fed. Appx. 832, 836 (Fed. Cir. 2005); Animatics Corp. v. Quicksilver Controls, Inc., 102 Fed. Appx. 659, 670-71 (Fed. Cir. 2004).

Favorable consideration and allowance of the amended claims pending here is respectfully requested.

Respectfully submitted,

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Dated: August 28, 2006

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